



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 29, 1993

Mr. Lance Beversdorff
Staff Attorney
Texas Youth Commission
P.O. Box 4260
Austin, Texas 78765

OR93-346

Dear Mr. Beversdorff:

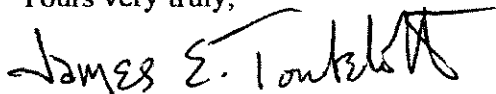
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 20138.

The Texas Youth Commission (the "commission") has received a request for information relating to a Texas Workers Compensation Commission hearing to which the commission is a party. Specifically, the requestor seeks "a complete copy of 'Supervisors Daily Log' containing any written references or information referring to myself, beginning with my initial date of employment with Brownwood State School on 10-07-92, inclusive of, and up to my lay-off date of 03-22-93." You claim that the requested information is excepted from required public disclosure by section 3(a)(3) of the Open Records Act.

You advise us that, since your original request for a decision, the requested information has been made available to the requestor pursuant to Texas Workers Compensation Commission hearing procedures. We therefore understand the applicability of section 3(a)(3) to be moot in this instance and decline to consider your request at this time. See Open Records Decision Nos. 349, 320 (1982) (once information has been obtained by all parties to the litigation, *e.g.*, through discovery or otherwise, no section 3(a)(3) interest exists with respect to that information). Accordingly, we are closing our file on this matter and returning to you the copy of the records submitted to this office.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,

A handwritten signature in black ink, appearing to read "James E. Tourtelott", with a stylized flourish at the end.

James E. Tourtelott
Assistant Attorney General
Opinion Committee

JET/GCK/jmn

Enclosures: submitted documents

Ref.: ID# 20138
ID# 20424

cc: Ms. Victoria Benavides
5132 Lewis Drive
Port Arthur, Texas 77642